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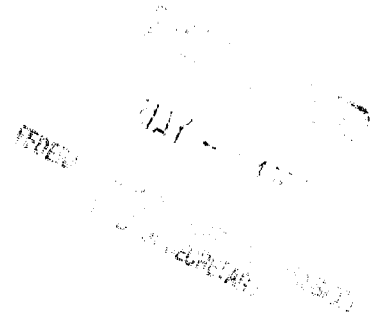
May 7, 1996



Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, NW, Room 222
Washington, DC 20554

DOCKET FILE COPY ORIGINAL

Dear Mr. Caton:

Re: *WT Docket No. 95-5, Streamlining the Commission's Antenna Structure Clearance Procedure and Revision of Part 17 of the Commission's Rules Concerning Construction, Marking, and Lighting of Antenna Structures*

On behalf of Pacific Bell, please find enclosed an original and six copies of their *"Comments"* in the above proceeding.

Please stamp and return the provided copy to confirm your receipt. Please contact me should you have any questions or require additional information concerning this matter.

Sincerely,

Denice Harris

Enclosure

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of Streamlining the Commission's Antenna Structure Clearance Procedure and Revision of Part 17 of the Commission's Rules Concerning Construction, Marking, and Lighting of Antenna Structures	WT Docket No. 95-5

COMMENTS OF PACIFIC BELL

Pacific Bell submits its comments on the Petitions for Partial Reconsideration filed by Comp Comm, Inc. ("Comp Comm") and by the Wireless Cable Association International, Inc. ("WCA") that seek reconsideration of the Commission's Order[1] in the above-captioned proceeding.

[1] Streamlining the Commission's Antenna Structure Clearance Procedure and Revision of Part 17 of the Commission's Rules Concerning Construction, Marking, and Lighting of Antenna Structures, WT Docket No. 95-5, Report and Order, released November 30, 1995 ("Order").

I. The Comp Comm Petition

Comp Comm recommends that the Commission adopt stricter standards for determining the geographic coordinates and ground elevation of antenna structures. Specifically, it recommends that site locations be determined with an absolute accuracy of plus or minus one meter for latitude and longitude and three meters for ground elevation. Comp Comm states that such accuracy would lead to safer airways and implies that increased accuracy could be achieved without significant additional cost. Comp Comm request for extreme accuracy is unnecessary and should be denied.

The Order requires that latitude and longitude coordinates be stated to within one second and height rounded to one meter but permits the use of surveying tools of differing accuracy to obtain the site data. Comp Comm's major concern appears to be that the wording of the Order allows site location to be determined by using a relatively inaccurate surveying device. A simple GPS receiver (without differential correction), which can be used pursuant to the Order, could result in an uncertainty of as much as 100 meters in coordinates and 300 meters in elevation. We agree with Comp Comm that this element of uncertainty would be clearly unacceptable. In actual practice, however, site location will not be determined by GPS receivers alone. Antenna structure owners must submit to the FAA a seven and one-half minute geologic map with their site location clearly marked. Thus, site location and elevation will be determined by the accuracy of site placement on a geologic map, not by the GPS receiver. Most antenna sites have enough landmarks in the vicinity that the site

can be accurately placed within one second of latitude and longitude on a seven and one-half minute map.

Comp Comm is also concerned with the degree of elevation accuracy that results from using seven and one-half minute maps. It asserts that the elevation accuracy of only 40 feet is unacceptable. However, the actual ground elevation uncertainty for most sites is considerably less than 40 feet. Contour intervals on seven and one-half minute maps range from 80 feet in high mountainous terrain to 5 feet in level terrain. If a site is locate directly on a map contour line there is no elevation uncertainty. If a site is located between contour lines the average uncertainty is half the contour interval. For a more typical contour interval of 20 feet the uncertainty would be plus or minus 10 feet, which is essentially the extent of accuracy -- 3 meters -- that Comp Comm recommends. Many seven and one-half minute maps have 10-foot contour intervals which reduces the uncertainty to only 5 feet. This degree of accuracy can be determined directly from the geologic map, without the need for additional measurements.

The need for elevation accuracy varies with the terrain. Since wide map-contour intervals (80' or 40') are only used in steep mountainous areas, an elevation uncertainty of plus or minus 40' or 20' on an 8,000' mountain site is analogous to the 10' or 5' uncertainty in flat terrain. This is well within Comp Comm recommendations and neither situation poses a significant hazard to airways.

Comp Comm also states that high accuracy can "easily be accomplished using readily available, affordable technology".[2] They suggest that the structure owner could have his site surveyed by a "certified" surveying company or take measurements using differential GPS receivers. Either alternative involves more than trivial expense. More importantly, we do not believe that the benefit outweighs the additional economic burden.

We recommend that the Commission specify that antenna structure owners use seven and one-half minutes geologic maps to accurately determine site location. This will locate site coordinates within one second and, for the vast majority of sites, ground elevations within the three meter parameter that Comp Comm suggests as acceptable. Additional requirements for accuracy will only increase costs without providing a significant improvement in location accuracy or demonstrable improvement in airway safety.

II. The WCA Petition

WCA is concerned with the costly administrative process that its members are likely to be subject to as a result of new procedures for registering antenna support structures.[3] Tower owners will have to reregister antenna support structures with accurate coordinates. If the tower owner files new coordinates, the tenant licensee or permittee located on the structure must apply for conforming changes to its

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[2] Comp Comm, pp. 2-3.

[3] Pacific Telesis Enterprises, an affiliate of Pacific Bell, is a member of the WCA.

authorization. WCA suggests that MDS & ITFS licensees may be required to file applications including demonstrations of interference protection. Some current licensees may be unable to obtain new authorizations without modifying their facilities because the new coordinates resulting from the more accurate tower coordinates and the Commission's recent expansion of the protected service area increase the possibility of a showing of interference. We agree with WCA that substantial, unnecessary burdens on the wireless cable industry will result.[4]

New coordinates for MDS or ITFS antenna structures will not involve a physical relocation of structures but will be merely a paper change. The paper change will not cause interference or increase interference that may exist under the old coordinates. If there was no interference problem under the old coordinates, there will be no greater problem under the new coordinates Thus, for the Commission to require licensees to reapply and to demonstrate interference protection merely because of the paper change will impose administrative burden with no economic value. Moreover, as WCA points out, grandfathered permissible interfering stations will be forced to modify their facilities. This does not appear to further the Commission's goals of "reducing administrative burdens on the public".[5]

To mitigate any unnecessary burden resulting from merely revising the Commission's procedures, WCA proposes that a licensee would not have to apply for a facility modification where only de minimis new interference will result--where an

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[4] WCA, p. 2.

[5] Order, para. 2.

antenna support structure is registered at coordinates that are within three or fewer seconds of the coordinates on an MDS or ITFS authorization.[6] In that case, WCA urges the Commission to permit the licensee to obtain a corrected authorization without submitting interference studies or demonstrating non-interference. We believe this small change to the Commission's proposed rule will balance the interests of the Commission in obtaining more accurate information and MDS & ITFS licensees and the wireless cable industry in avoiding unnecessary and potentially harmful service-affecting administrative burdens. If, on the other hand, more than de-minimus interference is indicated and that interference is verified by measurement, the party with the changed coordinates should work to clear the interference. We urge the Commission to adopt WCA's proposal.

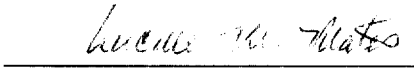
We also join with WCA to urge the Commission to liberally grant waivers of its interference protection rules where facility modifications would be burdensome or

[6] WCA, p. 5.

cause a reduction in service to the public but would not correct any real interference to any other operating system.[7] Waivers may be particularly important to protect systems grandfathered as a result of the Commission's recent revision that increased the protected service area of MDS and ITFS stations from 15 to 35 miles.

Respectfully submitted,

PACIFIC BELL



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Date: May 7, 1996

[7] Id., p. 6.

CERTIFICATE OF SERVICE

I, Michelle McSoley, do hereby certify that on this 7th day of May, 1996, a copy of the foregoing "**COMMENTS OF PACIFIC BELL**" regarding WT Docket No. 95-5 was served by United States first-class mail, postage prepaid, to the following:

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Wilkinson, Barker, Knauer & Quinn
1735 New York Avenue, NW
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(for The Wireless Cable Association International, Inc.)

Comp Comm, Inc.
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Federal Communications Commisison*
Ralph A. Haller, Deputy Chief
Wireless Telecommunications Bureau
2025 M Street, NW, Room 5002
Washington, DC 20554

ITS, Inc.*
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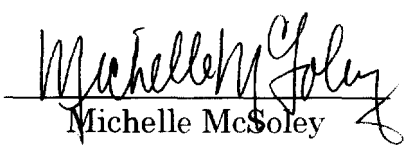

Michelle McSoley

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* Via Hand Delivery